REMARKS

The drawings have been objected to under 37 CFR 1.83(a) as failing to disclose every feature of the invention specified in the claims. There is no requirement that each and every feature of the claimed invention be illustrated in the drawings. The objection is therefore traversed.

Claim 4 has been rejected under 35 USC 112, second paragraph, and objected to due to informalities. Claim 4 has been amended accordingly.

Claims 1-3 and 5 have been rejected under 102(e) as anticipated by Serna, and claim 4 has been rejected under 35 USC 103(a) as unpatentable over Serna in view of Eriksson. The rejections are respectfully traversed.

Serna fails to disclose a method in which data packets are intermediately stored during relocation of a mobile subscriber within a communication network and in which the data packets are intermediately stored in previous switching network node until the subscriber data provided for a new data transmission path is located in a previous switching node, as required by the claimed invention (claims 1 and 5).

The Examiner cites paragraph 58 of the reference Serna as disclosing the intermediate storage of data packets. Paragraph 58 of Serna, however, relates to temporarily saving an information element or an identification element. This information element or identification element refers to the identification of the first node, see for example paragraph 49, rather than a data packet or other type of data such as a paging message which is to be transferred to a mobile subscriber. We are unable to find any disclosure in Serna that a data packet or other type of data which is to be transferred to the mobile subscriber is intermediately stored or buffered. Paragraph 85 of Serna discloses that the method may be used in packet switched networks. However, this paragraph discloses storing the identity element of the node rather than the data packet.

The problem addressed by the application as discussed in the introduction of the application is not disclosed nor rendered obvious by the reference Serna. Secondly, the person of ordinary skill in the art fails to gain any suggestion which would lead them to modify the paging system of Serna so as to intermediately store the data packets so as to solve this problem. Thirdly, the person of ordinary skill in the art fails to gain any suggestion which would lead them to modify the paging system of Serna so as to intermediately store the data packets in the manner required by the claims.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing, referencing Attorney Docket No. 118744-138.

Respectfully submitted,

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